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SENATE

REPORT
100-560

ESTABLISHING AS THE POLICY OF THE UNITED STATES THE PRESERVATION, PROTECTION, AND PROMOTION OF THE RIGHTS OF INDIGENOUS AMERICANS TO USE, PRACTICE AND DEVELOP NATIVE AMERICAN LANGUAGES, AND FOR OTHER PURPOSES

SEPTEMBER 28 (legislative day, September 26), 1988.—Ordered to be printed

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Mr. INOUYE, from the Select Committee on Indian Affairs, submitted the following

REPORT

[To accompany S.J. Res. 379]

The Select Committee on Indian Affairs, to which was referred the joint resolution (S.J. Res. 379) to establish as the policy of the United States the preservation, protection, and promotion of the rights of indigenous Americans to use, practice and develop Native American languages, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the joint resolution do pass.

PURPOSE

The purpose of this resolution is to make a policy statement that it is the right of Native Americans, including Indians, Alaska Natives, Native Hawaiians and Native American Pacific Islanders to practice and develop their indigenous languages.

BACKGROUND AND NEED

The constant threat of termination of indigenous cultures due to perpetual and concerted interference with their ability to practice their traditions and beliefs is a problem that has plagued the native peoples of this country from the moment of European contact to this day.

It was once the unwritten policy of the United States Government to reprimand children for speaking their own languages in school. They were made to feel like foreigners in the classroom,

S413-21

and, worse, in their own homelands. Children were thus rendered incapable of forging a connection between two worlds which were already so different from one another, yet which would have to be reconciled as it came time to choose future paths. This kind of alienation still occurs today.

In some states, this policy has been formally repealed. For example, the Hawaii State Legislature passed a resolution that became law acknowledging the Hawaiian language as the second official State language. Based on this resolution, the Hawaii State Department of Education now allows children to be taught in the Hawaiian language.

Traditional languages are an integral part of Native American cultures, heritages and identities. History, religion, literature and traditional values are all transmitted through language. Language, like religion and other traditional practices, must be perpetuated if the culture is to survive.

A clear statement of Federal policy is mandatory to help prevent the silencing of Native languages and ultimately, the destruction of the original cultures of this country. This resolution represents an acknowledgement that indigenous Americans have a right to practice their cultures and choose their own lifestyles. If native cultures are to survive, then the United States must do all it can to protect and encourage cultural practices.

In this regard, this resolution recognizes the right of native cultures to continue to survive, and that their indigenous languages may be used as a medium of instruction as well as an official language in their traditional territories.

In addition to this policy statement, the resolution recommends that educational institutions recognize indigenous languages in the same way that foreign languages are recognized, including the inclusion of such languages in academic curricula.

This resolution is based on two resolutions adopted at the Eighth Annual International Native American Language Issues Institute, held in June, 1988, in Tempe, Arizona. Institute members requested that the Senate Select Committee on Indian Affairs introduce this resolution and have it adopted as the policy of the United States.

LEGISLATIVE HISTORY

On September 15, 1988, Senator Inouye introduced S.J. Res. 379 for himself and Senators Evans, Daschle, DeConcini, McCain, Murkowski, Domenici and Matsunaga. The bill was referred to the Select Committee on Indian Affairs for consideration. On September 21, 1988, the Select Committee on Indian Affairs marked up S.J. Res. 379, and ordered it reported favorably.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTE

The Select Committee on Indian Affairs, in open business session on September 21, 1988, by unanimous vote with a quorum present, recommends that the Senate pass S.J. Res. 379.

SECTION-BY-SECTION ANALYSIS OF S.J. RES. 379

The whereas clauses establish the reasoning and need for the resolution.

The resolution states that it shall be the policy of the United States to preserve, protect, and promote the rights of indigenous Americans to use, practice and develop Native American languages, including the right to use such languages as the media of instruction in State and Federal institutions of compulsory education and as the official language in the traditional territories of Native Americans.

The resolution further states that academic credit should be granted for proficiency in an indigenous language in the same way that it is granted for foreign languages.

Finally, the resolution strongly recommends that all institutions of education include indigenous languages in their curriculum in the same way that foreign languages are included and that competency in such languages be granted the same academic credit.

COST AND BUDGETARY CONSIDERATION

The cost estimate for S.J. Res. 379, as evaluated by the Congressional Budget Office is set forth below:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 26, 1988.

Hon. DANIEL K. INOUYE,
Chairman, Select Committee on Indian Affairs,
U.S Senate, Washington, DC

DEAR MR. CHAIRMAN: The Congressional Budget Office has examined the federal cost impact of S.J. Res. 379, as ordered reported by the Select Committee on Indian Affairs on September 21, 1988. S.J. Res. 379 would establish as a policy of the United States the preservation, protection, and promotion of the rights of indigenous Americans to use, practice, and develop Native American languages.

Based on our analysis, there would be no increase in direct federal, state or local government costs as a result of passage of this bill.

If you wish further details on this estimate, we will be pleased to provide them. Deborah Kalcevic (226–2820) is the CBO staff contact.

Sincerely,

JAMES L. BLUM,
Acting Director.

EXECUTIVE COMMUNICATIONS

The Committee received no communication from the Executive branch on S.J. Res. 379.

REGULATORY IMPACT STATEMENT

Paragraph 11(b) of rule XXVI of the Standing Rules of the Senate requires each report accompanying a bill to evaluate the regulatory paperwork impact that would be incurred in carrying out the bill. The Committee believes that this resolution will have a minimal impact on regulatory paperwork requirements.

CHANGES IN EXISTING LAW

In compliance with subsection 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes no changes in existing law.

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